

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. CR 19-4440-MV

NICHOLOUS PHILLIPS,

Defendant.

AMENDED Order and Notice of Trial

THIS MATTER is before the Court on defendant's *Unopposed Motion to Continue Trial* [58]. The Court has weighed the representations made in the motion and finds granting a continuance to resolve these issues outweighs the public and defendant's interest in a speedy trial pursuant to 18 U.S.C. § 3161, for the reasons set forth in defendant's Motion.

Conducting a trial in the face of these facts would be contrary to the interests of justice. *Zedner v. United States* 126 S. Ct. 1976 (2006). Now, therefore,

IT IS ORDERED that the trial of this action be and hereby is continued from July 27, 2020, to **Monday, November 2, 2020, at 9:00 a.m.**, on a trailing docket, in the Rio Grande Courtroom at the United States Courthouse, 333 Lomas Blvd., NW in Albuquerque, New Mexico, pursuant to 18 U.S.C. § 3161(h)(7)(A), with the following pretrial dates and deadlines. It is further ordered that the period of time from the entry of this Order until the new trial date shall be excluded from the time limitations set forth within 18 U.S.C. § 3161(c)(1).

Event	Date/Deadline
Joint Jury Instructions, Witness and Exhibit Lists, Voir Dire	October 5, 2020
Motion to Continue	October 5, 2020
Objections to Witness and Exhibit Lists, Objections to Voir Dire	October 9, 2020
Motions in Limine/Response/Reply	September 28, 2020 / October 5, 2020 / October 9, 2020 Responses and replies to Motions filed 14 days or more before this deadline are due in accordance with the Federal and Local Rules of Criminal Procedure.
Pretrial Conference	October 9, 2020, 9:30 a.m. (Santa Fe)
Jury Selection/Trial	November 2, 2020, 9:00 a.m. (Albuquerque)

In an effort to conserve judicial resources, the Court must be advised of all plea agreements no later than ten (10) working days prior to trial. The plea must be entered at least five (5) days prior to the trial date.



MARTHA VÁZQUEZ
UNITED STATES DISTRICT JUDGE

Linda Z. Romero, Courtroom Deputy - (505) 992-3826

Trial Preparation guidelines: <http://www.nmd.uscourts.gov/content/honorable-martha-vazquez>